

## EXPLANATION OF COMMISSION DETERMINATION ON ADEQUACY

in

*Solid Urea from Armenia, Belarus, Estonia, Lithuania, Romania, Russia, Tajikistan, Turkmenistan, Ukraine, and Uzbekistan*, Inv. Nos. 731-TA-339 (Review), 731-TA-340-A through 340-I (Review)

On June 3, 1999, the Commission determined that it should proceed to expedited reviews in the subject five-year reviews pursuant to section 751(c)(3)(B) of the Act, 19 U.S.C. § 1675(c)(3)(B).<sup>1</sup> The Commission, in consultation with the Department of Commerce, grouped these reviews because they involve the same domestic like product.<sup>2</sup>

With regard to each of the reviews, the Commission determined that the domestic interested party group response was adequate. In this regard, the Commission received an individual response from an association a majority of whose members are producers of the domestic like product. That response contained company specific data from five participating domestic producers who collectively account for the majority of domestic solid urea production. The Commission also received an individual response from a sixth domestic producer of the domestic like product.

The Commission determined that the respondent interested party group response in each review was inadequate. In the review regarding Romania, the Commission received an interested party response from the Government of Romania. The Commission found this response to be individually adequate. However, the Commission did not receive any responses from Romanian producers or exporters or U.S. importers, and nothing in the Government's response indicated that the Government would be able to provide the Commission with the type of information that would be gathered in a full review. Accordingly the Commission determined that the respondent interested party group response was inadequate in the review concerning Romania. The Commission did not receive a response from any respondent producers, importers or exporters of the subject merchandise, nor from any other respondent interested party, in any of the remaining reviews.

The Commission did not find any circumstances that would warrant conducting full reviews.<sup>3</sup> The Commission therefore determined to conduct expedited reviews.

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<sup>1</sup>Commissioner Hillman dissenting.

<sup>2</sup>See 19 U.S.C. § 1675(c)(5)(D); 63 Fed. Reg. 29372, 29374 (May 29, 1998).

<sup>3</sup>Commissioner Hillman found that a full review was warranted in the investigation concerning Romania in view of the response of the Government of Romania. She credits the Government's statement that the recently privatized Romanian industry is in a state of transition that has left the Government as the only entity currently in a position to represent Romanian interests in this proceeding. She believes the Government's active participation in the adequacy phase of the review, including through the submission of some (albeit limited) industry data, and its expressed intention to participate in any full review, presents a sufficient basis to proceed to a full review. In light of her decision in the review concerning Romania, she further determined that the remaining urea investigations in this grouped set of reviews should be full reviews in order to promote administrative efficiency.